

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

v.

ANTONIO D. HOSEY,

Defendant.

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CRIMINAL ACTION NO.
1:20-CR-00396-LMM

RESTITUTION ORDER

During the sentencing hearing, the parties requested that the Court leave open the amount of restitution and its apportionment with co-defendants so that they could submit supplemental briefs. The Court has now reviewed the briefing submitted in this case. Both parties have also indicated to the Court that they are not requesting a further hearing on this issue.

In reviewing the parties' arguments, the Court is most persuaded by the Government's position. The restitution the Government requests treats all defendants in the case in a consistent manner, apportions restitution to the Defendant based on his direct involvement in particular loans, and complies with the applicable law. This is the amount reasonably foreseeable to Defendant. Defendant's request to apportion restitution based on Defendant's actual profits

is inconsistent with the law. In addition, his financial position is similar to his co-defendants.

Accordingly, it is hereby **ORDERED** that Defendant Antonio Hosey shall make restitution in the total amount of \$463,777.79, which is due and payable immediately. Restitution shall be paid to Clerk, U.S. District Court, Northern District of Georgia, for distribution to:

<u>Name of Payee</u>	<u>Restitution Ordered</u>
SBA SBA/DFC 721 19 th St. 3 rd Floor, Room 301 Denver, CO 80202	\$164,166.03
Cross River Bank Attn: Paola Lazarte 400 Kelby St. 14 th Floor Fort Lee, NJ 07024	\$299,611.76
TOTAL	\$463,777.79

The Defendant's restitution shall be held jointly and severally liable with the following defendants:

<u>Defendant/Case Number</u>	<u>Joint and Several Amount</u>	<u>Corresponding Payee</u>
Timothy Williams 1:20-cr-339-LMM	\$7,945.21	Cross River Bank
Travis C. Crosby 1:21-cr-11-LMM-CCB-3	\$49,999.98	Cross River Bank
Keith A. Maloney, Jr. 1:21-cr-11-LMM-CCB-4	\$83,333.30	Cross River Bank

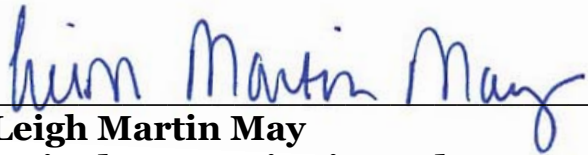
Kenneth L. Wright, Jr, 1:20-cr-285-LMM	\$114,166.05	SBA
Tabronx W. Smith 1:21-cr-11-LMM-CCB-5	\$49,999.98	SBA
Thomas D. Wilson 1:21-cr-11-LMM-CCB-6	\$33,333.32	Cross River Bank
Mark A. Stewart 1:20-cr-319-LMM	\$124,999.95	Cross River Bank

Payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are to be made payable to the Clerk, U.S. District Court, 2211 U.S. Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303. Any balance that remains unpaid at the commencement of the term of supervision shall commence within 60 days after release from imprisonment on the following terms: payable at a rate of no less than \$250 monthly to U.S. District Court Clerk. The defendant must notify the Court of any changes in economic circumstances that might affect the ability to pay this financial penalty.

The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing or residence address that occurs while any portion of the restitution remains unpaid.

The Clerk of Court is **DIRECTED** to serve a copy of this Order upon the Probation Office and the United States Marshal Service.

IT IS SO ORDERED this 3rd day of January, 2023.



Leigh Martin May
United States District Judge